

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the
Commission's Own Motion into the Fatal
Accident on the Bay Area Rapid Transit
District's Line between the Walnut Creek and
Pleasant Hill Stations in the County of Contra
Costa, California on October 19, 2013.

Investigation 16-06-010

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in this proceeding to
December 31, 2018.

1. Background

Pub. Util. Code § 1701.2(i) provides that adjudicatory cases must be
resolved within 12 months of initiation unless the Commission makes findings
why that deadline cannot be met and issues an order extending that deadline. In
this proceeding, the 12-month deadline for its resolution was June 23, 2017.
Decision (D.) 17-04-040, D.17-12-027 and D.18-06-034 were issued to extend this
deadline to December 23, 2017, June 23, 2018 and September 24, 2018.

On June 23, 2016, the Commission initiated this Order Instituting
Investigation into the Fatal Accident on the Bay Area Rapid Transit District's
Line between the Walnut Creek and Pleasant Hill Stations in the County of

Contra Costa, California on October 19, 2013. A prehearing conference was held on October 11, 2016, and the Scoping Memo was issued on December 8, 2016.

Evidentiary Hearings were held from February 13, 2017 through February 15, 2017. Parties have filed their post-hearing briefs and numerous post hearing motions and legal briefing(s). All exhibits were finalized and received, last of the Exhibit-related rulings were issued on September 7, 2017, and the matter was submitted for the presiding officer's deliberation and review of the record.

On October 6, 2017, the Presiding Officer's Decision was issued and mailed to the parties, the Commission's Safety and Enforcement Division and the Respondent San Francisco Bay Area Rapid Transit District (collectively, the Parties).

Timely appeals have been filed by the Parties on November 6, 2017. The presiding officer is in the process of deliberating the issues raised in those appeals and requires additional time to complete that review and prepare the necessary revisions resulting from her review. Based thereon, an extension of the statutory deadline until December 31, 2018, is necessary to finalize the decision based thereon.

2. Waiver of Comment Period

Pursuant to Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment on decisions extending the deadline for resolving adjudicatory proceedings.

3. Assignment of Proceeding

Liane M. Randolph is the assigned Commissioner and Kimberly H. Kim is the assigned Administrative Law Judge and presiding officer in this proceeding.

Findings of Fact

1. The current statutory deadline for resolving this adjudication proceeding is September 24, 2018.
2. An extension of the statutory deadline until December 31, 2018, is necessary to allow adequate time to complete the consideration of the pending appeals and the record and to finalize the decision based thereon.

Conclusion of Law

Pursuant to the Commission's authority under Pub. Util. Code § 1701.2(i) the statutory deadline should be extended until December 31, 2018.

IT IS ORDERED that the statutory deadline in this proceeding is extended until December 31, 2018.

This order is effective today.

Dated _____, 2018, at San Francisco, California.